

### The OSCE and the SCO - Perspectives for Cooperation

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Veröffentlichungsversion / Published Version  
Stellungnahme / comment

#### Empfohlene Zitierung / Suggested Citation:

Pisoiu, D. (2015). *The OSCE and the SCO - Perspectives for Cooperation*. (Policy Paper / Österreichisches Institut für Internationale Politik, 8). Wien: Österreichisches Institut für Internationale Politik (oiip). <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-59071-1>

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## The OSCE and the SCO – Perspectives for Cooperation

**Policy Paper 8 /2015**

Daniela Pisoiu

## **Abstract**

Recently, increased cooperation has been envisaged between the OSCE and other international and regional organizations. The Shanghai Cooperation Organization has not been explicitly named, but, in light of numerous parallels existing between the activities of the two, and given issues of common interest, such as the fight against terrorism, such cooperation is conceivable. This paper outlines parallels and differences along the three OSCE security dimensions: politico-military, economic-environment and human. The first two dimensions entail numerous similar activities, while the third has been less developed within the SCO. Avenues for cooperation can however be pursued also in this field.

## **Zusammenfassung**

Kürzlich wurde eine verstärkte Zusammenarbeit zwischen der OSZE und anderen internationalen/regionalen Organisationen vorgeschlagen. Die Shanghai Organisation für Zusammenarbeit (SCO) wurde dabei nicht explizit genannt, eine Zusammenarbeit mit der OSZE wäre aber vorstellbar – vor allem aufgrund zahlreicher parallelen in den Aktivitäten beider Organisationen und angesichts des gemeinsamen Interesses an Themen wie dem Kampf gegen Terrorismus. Dieses Papier skizziert Parallelen und Unterschiede anhand der drei OSZE-Sicherheitsdimensionen: entlang der politisch-militärischen, der wirtschaftlich-ökologischen und der menschlichen Dimension. Die ersten zwei Dimensionen umfassen zahlreiche ähnliche Aktivitäten beider Organisationen, die dritte wurde innerhalb der SCO bislang weniger entwickelt. Aber auch hier könnten Kooperationsmöglichkeiten entstehen.

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The Contribution of the OSCE Network of Think Tanks and Academic Institutions to the Panel of Eminent Persons of 2015 edited by Teija Tiilikainen, *Reviving Co-operative Security in Europe through the OSCE* mentions among its recommendations:

“In general, the OSCE should further engage in co-operation with other international and regional organizations like the EU and the UN to avoid duplication and to create positive synergies. This applies to the field presence in crisis regions as well as to human rights issues, extremism and cyber security for example.”<sup>1</sup>

The Shanghai Cooperation Organization or the SCO is not mentioned among the examples of regional organizations OSCE should cooperate with. Such cooperation is, however, an avenue worth pursuing. An obvious reason for this is the overlapping membership. Founded in 2001, the SCO is comprised of the following Member States: China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan. With the exception of China, all other countries are also OSCE Member States. As it will be shown below, the two organizations share quite a few areas of cooperation, among which most prominently the fight against terrorism. In his seminal work on the comparison between the OSCE and the SCO, de Haas outlines a series of reasons why the SCO should present an interest to the OSCE: “because of shared activities and objectives, such as arms control. But also because of the geographical area they largely have in common. Furthermore, and perhaps the most important reason, because both organizations are active players in international security and are thus likely to have a similar interest in advancing the international rule of law and stability.”<sup>2</sup> While the SCO, in terms of the number of Member States, is clearly a smaller organization, it reaches out to a series of other states through its mechanisms of “dialogue partners” and “observer states”. At the moment, the existing dialogue partners are Belarus, Turkey and Sri Lanka and the observer states are Afghanistan, India, Iran, Mongolia, and Pakistan, whereas India and Pakistan have already been offered full membership. Clearly, especially the observer states are extremely relevant in the context of dealing with contemporary threats to peace and security in Europe, in particular concerning international terrorism and nuclear weapons. The OSCE is already cooperating with Asian partners such as Japan, Korea or Thailand, but, with the exception of Afghanistan and Mongolia, not yet with the SCO observer states. With respect to the Central Asian region in particular, it has been argued, the OSCE should link with existing regional organizations, such as the SCO, in order to compensate for its current lack of “political power” and

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<sup>1</sup> The OSCE Research Network, 2015. Recommendations, in Tiilikainen, Teija (ed.), *Reviving Co-operative Security in Europe through the OSCE*, Vienna, 10-11, p. 11.

<sup>2</sup> De Haas, Marcel, 2007. The Shanghai Cooperation Organisation and the OSCE: Two of a kind?, *Helsinki Monitor: Security and Human Rights*, 3, 246-259, p. 246.

“normative heft” and in the interest of “effective security policy”<sup>3</sup> in the region. Finally, cooperation with the SCO could also help ease the tensions between the West and Russia, identified as a major problem within the OSCE currently<sup>4</sup>.

From the perspective of the SCO, it must be first said that the organization is more than a strictly regional, inward-looking organization, as shown by the fact that it has, since 2004, observer status with the UN. Furthermore, prestige is important for the SCO. For example, President Putin illustrated this through his comments on the aims of the Russian presidency which ended in July this year: “It was aimed at the further strengthening of cooperation in all spheres of activity and at *bolstering the potential and prestige of our organization*”<sup>5</sup>.

Incipient exchange between the SCO and the OSCE has already taken place in the form of mutual visits, but actual cooperation still remains outstanding. The following outlines parallels and differences between the two organizations along the three dimensions of comprehensive security: politico-military, economic-environment and human.

### **The politico-military dimension**

The SCO Charter mentions a series of areas of cooperation that could be subsumed under this dimension:

- “maintenance of peace and enhancing security and confidence in the region;
- search of common positions on foreign policy issues of mutual interest, including issues arising within international organizations and international fora;
- development and implementation of measures aimed at jointly counteracting terrorism, separatism and extremism, illicit narcotics and arms trafficking and other types of criminal activity of a transnational character, and also illegal migration;
- coordination of efforts in the field of disarmament and arms control.” (Art. 3 SCO Charter)

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<sup>3</sup> Kreikemeyer, Anna, 2013. State, Criminality and Security in Central Asia: What Do Eurasian Regional Organizations Contribute to Security and Peace?, *Security and Human Rights*, 24, 169-181, p. 180.

<sup>4</sup> The OSCE Research Network, 2015. Introduction – The Political Context for the Strengthening of the OSCE, in Tiilikainen, Teija (ed.), *Reviving Co-operative Security in Europe through the OSCE*, Vienna, 12-13, p. 13.

<sup>5</sup> SCO Heads of State Council Meeting, July 10, 2015, available at: <http://en.sco-russia.ru/transcripts/20150710/1013634475.html>.

The OSCE has been active in the following activity areas within this politico-military dimension: arms control; border management; conflict prevention and resolution; combating terrorism; policing; reform and cooperation in the security sector.

Within this dimension, a series of parallels can be identified between the spheres of activities of the two organizations, as well as some few differences. The parallels are the objectives of ensuring peace, security and confidence, including in parts of the SCO region, namely Russia and Central Asia. A core activity of both organizations in this dimension is furthermore disarmament and arms control. For example, even before the official establishment of the SCO, an agreement was made among the Shanghai Five on the mutual reduction of armed forces in the border area on April 24, 1997. The engagement of the OSCE for disarmament and non-proliferation is well-known. Recently, also the SCO States declared that they “stand up for strict observance of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons aimed to deter the threat of spreading nuclear weapons, [and]ensure the process of nuclear disarmament”.<sup>6</sup>

Terrorism is a further area where parallels can be observed. All SCO countries have a terrorism problem: “China, in Xinjiang; Russia, in Chechnya; the Central Asian members, in the Ferghana Valley and on their borders with Afghanistan.”<sup>7</sup> Combating terrorism is in fact a core activity of the SCO. While the latter’s objectives were set in a broad way, in practice, the main focus has been laid so far on “the maintenance of international peace and security and the fight against modern challenges and threats, primarily against international terrorism, separatism and extremism.”<sup>8</sup> The SCO was initiated with measures to deepen military trust and reduce military forces, but the most concrete steps in normative and institutional terms have been taken with regard to the fight against these three “evils”, from the perspective of already established mutual trust, friendship and cooperation. An indication of the importance afforded to the fight against terrorism is the fact that the Regional Anti-Terrorist Structure (RATS) is the only non-administrative permanent body of the SCO. The RATS coordinates work in this area, and has other tasks such as providing information to the states, or the maintenance of a database of terrorist organizations and terrorists.

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<sup>6</sup> Astana Declaration of the 10th Anniversary of the Shanghai Cooperation Organisation, June 15, 2011, available at: <http://www.sectsco.org/EN123/show.asp?id=294>.

<sup>7</sup> Banyan, 2014. Pax Sinica, *The Economist*, September 20, available at: <http://www.economist.com/news/asia/21618866-china-trying-build-new-world-order-starting-asia-pax-sinica>.

<sup>8</sup> Douhan, Alena F. 2013. Evolution, Status, and Main Fields of Activity of SCO, in Rozanov, Anatoliy A. (ed.), *The Shanghai Cooperation Organisation and Central Asia’s Security Challenges*, The Geneva Centre for the Democratic Control of Armed Forces, Geneva: Procon Ltd., 5-14, p. 7.

In the area of terrorism, there have already been some general declaratory statements concerning the need for more cooperation. For example, in his address to the Permanent Council of the OSCE on July 18, 2013, the SCO Secretary-General, Dmitry Mezentsev, announced the openness of the SCO for cooperation in order to tackle regional threats such as terrorism and the illegal narcotics trade<sup>9</sup>. On June 24 this year, the Director of the SCO Regional Anti-Terrorist Structure met the OSCE Secretary General Lamberto Zannier, and attended the Second Working Session on Transnational Threats and Challenges. On this occasion, he mentioned some of the challenges SCO countries face in the area of terrorism, such as foreign fighters, the use of the internet by terrorist organizations for propaganda purposes, as well as the state of international cooperation in the area<sup>10</sup>.

The initial SCO document in the area of terrorism was the *Shanghai Convention on combating terrorism, separatism and extremism* of June 15, 2001, which was then followed by a series of other agreements. In terms of formal provisions, a series of parallels can be outlined between this Convention and the OSCE *Consolidated Framework for the Fight Against Terrorism*, Decision 1063 adopted in the 934<sup>th</sup> Plenary Meeting on December 7, 2012, and with the *Declaration on the OSCE role in countering the phenomenon of foreign terrorist fighters in the context of the implementation of UN Security Council Resolutions 2170 (2014) and 2178 (2014)*, of December 5, 2014. Some of the areas of cooperation mentioned in these documents are: extradition, suppressing the financing of terrorism, preventing the supply of weapons, and the exchange of information and good practices. An obvious difference is the emphasis the OSCE lays on combating radicalization, which does not appear to be in the focus of the SCO. Issues that are however in the focus of both organizations are the foreign fighters, the Internet and Afghanistan. For example, on October 23, 2014, the Director of the Executive Committee of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization, Mr. Zhang Xinfeng gave a briefing to the UN Counter-Terrorism Committee on the RATS activities in combating terrorism.<sup>11</sup> Among the challenges that the SCO is facing at the moment, Mr. Xinfeng mentioned the foreign fighters who are nationals of SCO Member States and join conflict zones abroad, in particular in Syria, Afghanistan, and Pakistan. With regard to Afghanistan, some of the activities RATS carried out were border defense cooperation and the collection and exchange of information on terrorist organizations and terrorists on the Afghan territory.

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<sup>9</sup> OSCE News, Secretary-General of Shanghai Cooperation Organisation addresses OSCE, July 18, 2015, available at: <http://www.osce.org/pc/103677>.

<sup>10</sup> RATS News, SCO RATS Delegation attends OSCE ASRC, available at: <http://ecrats.org/en/news/5047>.

<sup>11</sup> Security Council Counter-Terrorism Committee, Counter-Terrorism Committee welcomes close cooperation with the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization, October 24, 2014, available at: [http://www.un.org/en/sc/ctc/news/2014-10-24\\_ctcd\\_shanghaicoop.html](http://www.un.org/en/sc/ctc/news/2014-10-24_ctcd_shanghaicoop.html).

The OSCE has also confronted the issue of foreign fighters, has constituted a forum for discussion on this topic, and has engaged in research, strategic communication and raising awareness activities<sup>12</sup>. OSCE states also agreed to cooperate on foreign fighters along the points outlined in a recent Declaration on the role of the OSCE in countering the phenomenon of foreign terrorist fighters, such as: denying safe haven, extradition and prosecution, cooperation in preventing the financing of terrorism, border control, exchange of information on the use of Internet for purposes of radicalization and recruitment, exchange of information and of good practices, etc.<sup>13</sup> From the perspective of the OSCE, Afghanistan is an important piece in the security arrangements of not only neighboring states, but of the whole Euro-Asian area. Furthermore, both the OSCE and the SCO are interested in combating the production and distribution of narcotics<sup>14</sup>.

While both the OSCE and the SCO agree on the necessity to combat international terrorism, they, and the respective states, do not necessarily agree on the definition of terrorism – what groups, causes and events qualify as terrorist. Rather well known is the different appreciation of the Chechnya conflict, which, in the West, is generally seen as a struggle for national independence, whereas the Russian government has repeatedly qualified it as an instance of international Islamic terrorism. In another instance, while the OSCE condemned the harsh state reaction to the Andijan unrest of May 2005, the SCO Secretary General Zhang Deguang, at a press conference in Beijing on July 1, 2005, argued that “it is not right to confuse the problem of human rights and the problem of the struggle against terrorism”<sup>15</sup>. Added to this is the fact that, within the SCO, terrorism is not fought alone, but in combination with the other two “evils”, namely separatism and extremism. Extremism is thus defined in the *Shanghai Convention on Combating Terrorism, Separatism and Extremism*: “‘Extremism’ is an act aimed at seizing or keeping power through the use of violence or changing the constitutional regime of a State violently, as well as a violent encroachment upon public security, including organization, for the above purposes, of illegal armed formations and participation in them, criminally prosecuted in conformity with the national laws of the Parties.” In principle, “extremism” can depict all enemies of the regime. While agreement on the definition and concrete application of terrorism cannot be

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<sup>12</sup> The OSCE Research Network, 2015. Transnational Threats in the OSCE, in Tiilikainen, Teija (ed.), *Reviving Co-operative Security in Europe through the OSCE*, Vienna, p. 27-28.

<sup>13</sup> Declaration on the OSCE role in countering the phenomenon of foreign terrorist fighters in the context of the implementation of UN Security Council resolutions 2170(2014) and 2178(2014), MC.DOC/5/14, 5 December 2014, OSCE Ministerial Council, Basel 2014, available at: <https://www.osce.org/cio/130546?download=true>.

<sup>14</sup> See for example the Resolution on the OSCE’s further engagement with Afghanistan of the 2014 Baku Final Declaration, available at: <https://www.oscepa.org/meetings/annual-sessions/2014-baku-annual-session/2014-baku-final-declaration/1854-10>.

<sup>15</sup> De Haas, Marcel, 2007. The Shanghai Cooperation Organisation and the OSCE: Two of a kind?, *Helsinki Monitor: Security and Human Rights*, 3, 246-259, p. 253.



reached in the foreseeable future, cooperation can be pursued on the issues where such agreement exists, such as for example Afghanistan and the foreign fighters.

With regard to other issues of common interest, while not explicitly listed among the official areas of OSCE activity, combating illicit narcotics and arms trafficking have also been in the focus of several OSCE activities. For example, the OSCE organized in 2002 a series of workshops in Central Asian states with the aim of stopping arms trafficking in the region.<sup>16</sup> Border management is at the core of the SCO. The origin of the organization is in fact located in discussions and agreements over borders subsequent to the disestablishment of the USSR<sup>17</sup>. While not explicitly focused on this, the SCO has also made some steps towards involvement in conflict prevention and resolution. For example, in a Joint declaration on SCO/UN Secretariat cooperation, the two Secretaries emphasized the importance of cooperation at different levels, including in the area of conflict prevention and resolution<sup>18</sup>.

While dealing with many issues of common interest, the two organizations also have different foci within the politico-military dimension. Most obviously, the OSCE does not need to include “common positions on foreign policy issues of mutual interest, including issues arising within international organizations and international fora”, since it already is such an international forum. That said, this area of SCO cooperation can function as an effective inducement for starting a dialogue between the two organizations. Two further areas of cooperation that the OSCE is not dealing with are “separatism and extremism” (see above). Finally, the OSCE is also not meant to combat “illegal migration”. The OSCE approach in this area is radically different, in that: migration is first of all dealt with within the economic-environment dimension, and second of all, migration is seen as something that can effectively lead to economic benefit. Thus, for example, a *Workshop on Monitoring of Labor Migration Processes and Recruitment* in Astana, Kazakhstan, aimed at striking a balance between high labor mobility and the need for control over migration flows<sup>19</sup>. A series of activity areas that the OSCE is focusing on, are, on the other hand, not included among the SCO cooperation areas. These are: policing and reform and cooperation the security sector.

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<sup>16</sup> Shanghai Cooperation Organization, Combating arms trafficking in Central Asia, January 9, 2002, available at: <http://www.sectsco.org/EN123/show.asp?id=198>.

<sup>17</sup> Douhan, Alena F. 2013. Evolution, Status, and Main Fields of Activity of SCO, in Rozanov, Anatoliy A. (ed.), The Shanghai Cooperation Organisation and Central Asia's Security Challenges, The Geneva Centre for the Democratic Control of Armed Forces, Geneva: Procon Ltd., 5-14, p. 5.

<sup>18</sup> Shanghai Cooperation Organization, Joint declaration on SCO/UN Secretariat cooperation, April 8, 2010, available at: <http://www.sectsco.org/EN123/show.asp?id=198>.

<sup>19</sup> Office of the Co-ordinator of OSCE Economic and Environmental Activities, 2013-14 Activity Report, available at: <http://www.osce.org/secretariat/188886?download=true>.

## The economic-environment dimension

The SCO Charter mentions a series of areas of cooperation that could be subsumed under this dimension:

- “support for, and promotion of regional economic cooperation in various forms, fostering favorable environment for trade and investments with a view to gradually achieving free flow of goods, capitals, services and technologies;
- effective use of available transportation and communication infrastructure, improvement of transit capabilities of member States and development of energy systems;
- sound environmental management, including water resources management in the region, and implementation of particular joint environmental programs and projects;
- mutual assistance in preventing natural and man-made disasters and elimination of their implications.” (Art. 3 SCO Charter)

The OSCE activities in the economic-environment dimension broadly correspond with the SCO areas of cooperation<sup>20</sup>, with the exception of “good governance”. Cooperation in economic and environmental issues covers similar items, among which most prominently transport. Both organizations aim to foster cooperation in this area. The OSCE aims at promoting dialogue on transport and border-crossing facilitation. The SCO aims are slightly more ambitious, in that not only transit between countries should be improved, but also the transportation infrastructure effectively used. For example, at the annual summit of the member States of the Shanghai Cooperation Organization (SCO), held in Dushanbe, Tajikistan on September 11-12, 2014, the Member States signed an *Intergovernmental Agreement of the Shanghai Cooperation Organization Member States on the Facilitation of International Road Transport* which aims at revitalizing the old silk road connecting China, Russia and Central Asia<sup>21</sup>. These kinds of activities are in direct connection to the even more ambitious economic aim of achieving a free flow of goods, capitals, services and technologies. Such an aim has not been included among the OSCE areas of activity and largely does not need to be, as this has been the initial rationale for the existence of the European Union. Similar to “good governance” below, many of the OSCE activities in the area of transport have been effectively carried out in Central Asian states which are SCO members. For example, a *Workshop on simplifying and harmonizing procedures for international trade* was co-organized by the OSCE in Dushanbe in 2014 and was attended by

<sup>20</sup> Office of the Co-ordinator of OSCE Economic and Environmental Activities, 2013-14 Activity Report, available at: <http://www.osce.org/secretariat/188886?download=true>.

<sup>21</sup> UNESCAP, SCO Member States Agreement on Facilitation of International Road Transport, September 11, 2014, available at: <http://www.unescap.org/announcement/sco-member-states-agreement-facilitation-international-road-transport>.

participants from Afghanistan, Kyrgyzstan and Tajikistan. Another example is the opening of an OSCE Training Centre of the State Customs Service under the Government of the Kyrgyz Republic in 2013 in order to provide capacity building activities to, among others, customs officials from Afghanistan.

Another common area of cooperation is “energy”. SCO prominently placed it in its Charter along with other economic objectives. In 2006, President Putin proposed the initiation of an “energy dialogue, integration of our national energy concepts, and the creation of an Energy Club.” Another idea voiced at the time was the establishment of a “unified energy market” for oil and gas exports and the promotion of regional development through preferential energy agreements. These plans have not yet materialized, however, given the complementary interests of the Member States in the area, a series of agreements were made on a bilateral basis.<sup>22</sup>

The OSCE approach to energy is rather recent and within the area of environment. In particular, the OSCE promotes sustainable energy and renewable energy. This topic has become a priority with the Ukrainian Chairmanship in 2013 and concretized with two Ministerial Council Decisions on *improving the environmental footprint of energy-related activities in the OSCE region* and on *Protection of energy networks from natural and man-made disasters*. Again, numerous activities in this area took place in Central Asia and include workshops tuned on dialogue, the promotion of best practices and the establishment of a Centre of Excellence on Renewable Energy in Ashgabat.

Finally, both the SCO and the OSCE have set the objective of cooperation in the areas of water management and disaster risk reduction. Water management has been a thorny issue for the SCO due to disagreements among Member States<sup>23</sup>, while the OSCE has carried out activities on the topic of water diplomacy, such as the *Security Days: Enhancing Security through Water Diplomacy*, where practitioners, experts and policy-makers engaged in discussions on the security-related benefits of water cooperation and the role of the OSCE therein. The *Basel Ministerial Decision on Enhancing Disaster Risk Reduction* of December 5, 2014 foresees among others an integrated approach to disaster risk management including measures for prediction, prevention, mitigation, preparedness, response and recovery at all levels.

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<sup>22</sup> Albert, Eleanor, 2014. The Shanghai Cooperation Organization, Council on Foreign Relations, October 14, available at: <http://www.cfr.org/china/shanghai-cooperation-organization/p10883>.

<sup>23</sup> Aris, Stephen, 2013. Shanghai Cooperation Organization. Mapping Multilateralism in Transition, International Peace Institute, available at: [http://www.ipinst.org/wp-content/uploads/publications/ipi\\_e\\_pub\\_shanghai\\_cooperation.pdf](http://www.ipinst.org/wp-content/uploads/publications/ipi_e_pub_shanghai_cooperation.pdf), p. 9.

The areas of post disaster management and joint environmental programs and projects are explicitly articulated in the SCO Charter and less so among OSCE activities, they are however areas that the OSCE has also approached<sup>24</sup>.

The one area which is specific to the OSCE is “good governance”. The most recent document underpinning the work of the OSCE in this area has been the *Dublin Declaration on Strengthening Good Governance and Combating Corruption, Money-Laundering and the Financing of Terrorism*, adopted by the 2012 OSCE Ministerial Council. This area focuses in particular on combating corruption, but also other items such as combating money laundering, trafficking in persons, or the financing of terrorism. That said, it must be first noted that numerous projects in the area of combating corruption have in fact been implemented in Central Asian states which are SCO members. For example, the OSCE Centre in Astana assisted the preparation of a *National Anti-Corruption Strategy and Action Plan for 2015 – 2025*, by providing expertise and legal advice to the government and its agencies. It furthermore organized a series of training workshops which were attended by over 300 officials, in an effort to support the country’s institutional capacity building. Another example is the seminar organized by the OSCE in Tajikistan in 2014 on *Integrity Standards and the Role of Civil Society in Fighting Corruption*, developed by Transparency International (TI). Furthermore, China has been recently active in this area through a series of initiatives, such as strengthened effort to extradite and arrest corrupt personnel and recover illicit money, active participation in negotiating and implementing the *United Nations Convention against Corruption*, or cooperation with the US in the area of anti-corruption<sup>25</sup>. While not explicitly mentioned among the cooperation areas in the SCO Charter, combating money laundering, the financing of terrorism and trafficking in persons have nevertheless constituted the object of SCO activities, such as: a Memorandum of Understanding with ASEAN on, among others, cooperation on money laundering and trafficking in persons, in the form of the exchange of information and best practices, as well as further technical and sectoral cooperation<sup>26</sup>. The SCO has also approached the issue of financing of terrorism. Within the *Statement by the Shanghai Cooperation Organization Member States and the Islamic Republic of Afghanistan on*

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<sup>24</sup> OSCE, Creating a Security Community for the Benefit of Everyone, Priorities of the 2014 Swiss Chairmanship, available at: <http://www.osce.org/cio/109266?download=true>, p. 3; OSCE Magazine, Interview with Lamberto Zannier OSCE Secretary General, Engaging for good economic and environmental governance: Goran Svilanovic, Issue 3/2011, available at: <http://www.osce.org/home/82641?download=true>, p. 19.

<sup>25</sup> Xinzhu, An, 2015. Joint Battle Against Transnational Crime, China Today, June 29, available at: [http://www.chinatoday.com.cn/english/report/2015-06/29/content\\_693883.htm](http://www.chinatoday.com.cn/english/report/2015-06/29/content_693883.htm).

<sup>26</sup> ASEAN, Memorandum of Understanding between the Secretariat of the Association of Southeast Asian Nations (ASEAN Secretariat) and the Secretariat of the Shanghai Cooperation Organization (SCO Secretariat), available at: <http://www.asean.org/archive/ASEAN-SCO-MOU.pdf>.

*combating terrorism, illicit drug trafficking and organized crime* of 27 March 2009<sup>27</sup>, the SCO expressed concern with regard to the production of narcotic drugs as a source of financing terrorist activities in Afghanistan and the intention to continue participating in the activities of the Financial Action Task Force (FATF) and the Eurasian Group on combating Money-Laundering and Financing of Terrorism (EAG).

## **The human dimension**

The SCO Charter does not mention any areas of cooperation in this dimension. One needs to look further up at Art. 1, “Goals and Tasks”, to find the following declaratory provisions on this dimension: “to promote human rights and fundamental freedoms in accordance with the international obligations of the member States and their national legislation;”

The OSCE, on the other hand, has been very active in this area, with numerous and diverse activities in the areas of: human rights, rule of law, minority rights, media freedom and development, gender equality, tolerance and non-discrimination, elections, Roma and Sinti.

Generally, cooperation on human rights and democracy between the two organizations could prove more difficult. In formal terms, the SCO Charter and policy documents mention human rights and even democracy, but only in general and not in the more detailed version of for instance: election assistance projects, media freedom, minority rights, the rule of law, tolerance and non-discrimination<sup>28</sup>. Human rights are, of course, central to the OSCE. Human rights, fundamental freedoms, the rule of law and market economics are known as the OSCE commitments and both the *Charter of Paris* and the *Copenhagen commitments* set out to promote democratization through, among others, the observation of elections and the promotion of democratic institutions<sup>29</sup>. Furthermore, the US has been very adamant in imposing respect for human rights as a condition for cooperation with the SCO. For example, a US Response to Dimitry Mezentsev, Secretary General of the Shanghai Cooperation Organization, as delivered by Deputy Chief of Mission Gary Robbins to the Permanent Council, on July 18, 2013 noted: “Should engagement and coordination between the SCO and the OSCE increase, we hope that the SCO will come to recognize the value behind the OSCE’s unique comprehensive

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<sup>27</sup> Shanghai Cooperation Organization, Statement by the Shanghai Cooperation Organization Member States and the Islamic Republic of Afghanistan on combating terrorism, illicit drug trafficking and organized crime, March 27, 2009, available at: <http://www.sectesco.org/EN123/show.asp?id=100>.

<sup>28</sup> De Haas, Marcel, 2007. The Shanghai Cooperation Organisation and the OSCE: Two of a kind?, *Helsinki Monitor: Security and Human Rights*, 3, 246-259, p. 253.

<sup>29</sup> Lewis, David, 2012. Who’s Socialising Whom? Regional Organisations and Contested Norms in Central Asia, *Europe-Asia Studies*, 64(7), 1219-123, p. 1221.

approach to security which directly links political-military security to economics, the environment, and in particular the *crucial importance of respect for human rights and the rule of law as a foundation for our activity in all areas*.<sup>30</sup> The US are arguably themselves not beyond critique, especially concerning the respect for the human rights of non-Americans in general, and the so-called enemy combatants in particular. In general, however, the case can be credibly made that the issue of human rights and democracy has been a centerpiece of dispute between the West and the East and that a potential deadlock can emerge here. This divide has been also noted within the OSCE itself: “The OSCE itself has become a victim of the international power struggle as those participating States that have turned away from its common values of democracy and human rights now perceive these values as the ideological underpinnings of an international order designed by the West to ensure continued Western dominance.”<sup>31</sup> Concretely, an increase in authoritarianism and an erosion of democracy was diagnosed in some OSCE countries located in Eastern Europe, the Caucasus and the Black Sea<sup>32</sup>.

Apart from these aspects, SCO states have a very *specific understanding of what human rights are, which is clearly different to the Western one*. For example, in the Declaration of the SCO Summit in Astana, July 5, 2005, the kinds of “human rights” mentioned were: “stimulating mutual interest, tolerance, the abandoning of extreme approaches and assessments and the development of dialogue”. Furthermore, the respect for human rights was conditioned by the upholding of “historical traditions and national features of every people and the sovereign equality of all states”<sup>33</sup>. This also means that there are different *practices* and different philosophies concerning elements such as fair elections, see for example the different assessments delivered by the SCO and the OSCE with regard to the presidential elections in Kazakhstan in 2005. The SCO found that they were “carried out in compliance with the Kazak constitution and relevant laws.”; “conductive to the country’s further development as well as regional peace and stability”. The OSCE, on the other hand, found that “Overall, despite some improvement in the administration of this election in the pre-election period, the election did not meet a number of OSCE commitments and other international standards for democratic elections.”<sup>34</sup> From a paradigmatic point of view, the OSCE acts according to the premise that the lack of respect for

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<sup>30</sup> United States Mission to the OSCE, Response to Dmitry Mezentsev, Secretary General of the Shanghai Cooperation Organization, available at: [http://osce.usmission.gov/jul-18-13\\_response-sco.html](http://osce.usmission.gov/jul-18-13_response-sco.html)

<sup>31</sup> The OSCE Research Network, 2015. Introduction, in Tiilikainen, Teija (ed.), *Reviving Co-operative Security in Europe through the OSCE*, Vienna, 12-13, p. 12.

<sup>32</sup> The OSCE Research Network, 2015. The Human Dimension as an OSCE Core Function, in Tiilikainen, Teija (ed.), *Reviving Co-operative Security in Europe through the OSCE*, Vienna, 19-20, p. 19.

<sup>33</sup> De Haas, Marcel, 2007. The Shanghai Cooperation Organisation and the OSCE: Two of a kind?, *Helsinki Monitor: Security and Human Rights*, 3, 246-259, p. 253.

<sup>34</sup> Cooley, Alexander, 2012. *Great Games, Local Rules. The New Great Power Contest in Central Asia*, Oxford: Oxford University Press, p.185.

human rights, in particular those of minorities, is a cause of tensions and conflict<sup>35</sup>. On the reverse, SCO states are of the opinion that instability and conflict are caused by terrorist, separatist and extremist actors in the first place.

A more fundamental background feature dividing also Western scholars is the overall nature of human rights – as *universal or local*, and the respective approach the “West” should take towards their promotion. In one view, human rights and democracy have universal validity and should be promoted in the form and understanding in which they exist in Western states. In a second view, human rights and democracy are not universal but a product of Western culture and civilization and thus devoid of intrinsic universal value. While the first perspective offers little room for maneuver, the second perspective allows for more flexibility. That is, at least in an initial phase, one could allow for digressions from the original definition to allow for local specificities or priorities. Additionally, one might aim for partial progress in some areas, with the hope of spillover to other rights and/or gradual alignment with the Western definition.

Finally, and beyond arguments of cultural contingency, respect for human rights and democracy can in effect pose a direct threat not only to the national integrity of SCO countries (the case of minorities who want to separate, for example), but also to the very existence of the regimes, given their authoritarian nature. This explains why these states might be not only uninterested in the promotion of human rights and democracy, but also downright oppose any direct dialogue on this matter.

On this more difficult background, cooperation can still be made possible provided there is, first of all, joint work towards a mutual understanding of democracy and human rights. In an initial stage, formal understanding can be shown towards the fact that human rights and democracy are culturally contingent, while also recognizing the gradual nature of democratization. This can act as a door opener towards an honest discussion on the topic, more broadly initiate dialogue and in the long run ensure the possibility of reaching consensus along OSCE lines. Secondly, the two organizations could work towards the prioritization of human rights in the understanding and resolution of conflicts. Empirical evidence can be brought to support the fact that respect for human rights can in fact prevent conflict rather than cause it<sup>36</sup>.

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<sup>35</sup> Lewis, David, 2012. Who’s Socialising Whom? Regional Organisations and Contested Norms in Central Asia, *Europe-Asia Studies*, 64(7), 1219-123, p. 1221.

<sup>36</sup> See also the argument “inter-ethnic tensions can sometimes lead to violent conflicts” made in The OSCE Research Network, 2015. A Multi-Ethnic OSCE – National Minorities, in Tiilikainen, Teija (ed.), *Reviving Co-operative Security in Europe through the OSCE*, Vienna, 21-22, p. 21.



**Table of similarities and differences between OSCE and SCO with regard to cooperation areas**

<b>Security dimension</b>	<b>Similarities</b>	<b>OSCE specificities</b>	<b>SCO specificities</b>
<b>Politico-military</b>	Ensuring peace, security and confidence Disarmament and arms control Terrorism Combating illicit narcotics and arms trafficking Border management Conflict prevention and resolution	Policing Reform and cooperation in the security sector	Common positions on foreign policy issues of mutual interest Separatism and extremism Illegal migration
<b>Economic and environmental</b>	Economic – transport Economic/environment energy Environment – water management, disaster risk reduction, post disaster management; joint environmental programs and projects  Combating money laundering, and the financing of terrorism; trafficking in persons	Good governance – combating corruption	Economic cooperation – free flow of goods, capitals, services and technologies
<b>Human</b>		human rights, rule of law, minority rights, media freedom and development, gender equality, tolerance and non-discrimination, elections, Roma and Sinti	